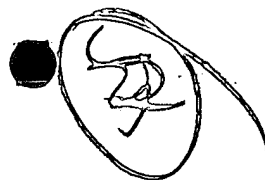




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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/028,181	
	<b>Filing Date</b>	December 21, 2001	
	<b>First Named Inventor</b>	Harry PRINCE et al	
	<b>Group Art Unit</b>	1614	
	<b>Examiner Name</b>	To be assigned	
<b>Total Number Of Pages In This Submission</b>	12	<b>Attorney Docket No.</b>	524902000200

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Transmittal, 1 page
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Fee Transmittal, 1 page (in duplicate)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Declaration (executed) 4 pages
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Copy of Notice to File Missing Parts of Nonprovisional Application. 1 page
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copies of December 21, 2001 Postcard and Fee Transmittal
		Return Postcard

Remarks



25225

PATENT TRADEMARK OFFICE

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

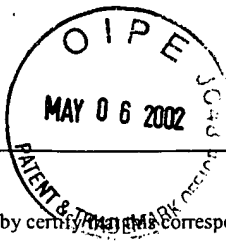
<b>Firm or Individual Name</b>	Peng Chen Morrison & Foester 3811 Valley Centre Drive, Suite 500, San Diego, California 92130
<b>Signature</b>	
<b>Date</b>	April 24, 2002

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 24, 2002.

Rhea Amid

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PATENT  
Docket No. 524902000200

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Commissioner for Patents, Washington, D.C. 20231, on 4-24, 2002.

*Rhea Amid*  
Rhea Amid

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Harry PRINCE et al.

Serial No.: 10/028,181

Filing Date: December 21, 2001

For: OXIDIZED FUNGAL ANTIGENS AND  
METHODS OF MAKING AND USING  
THEREOF

Examiner: To be assigned

Group Art Unit: 1614

**RESPONSE TO NOTICE OF MISSING PARTS OF NONPROVISIONAL APPLICATION  
UNDER 37 CFR 1.53(b)**

Assistant Commissioner for Patents  
U. S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice of Missing Requirements mailed February 28, 2002 in the above identified application. The Notice includes an indication that the application requires an additional \$84 for (2) independent claims over 3. However, we already paid for these two independent claims in our transmittal with our filing on December 21, 2001 (copy attached). Therefore, such additional fees are not necessary. However, if the Patent Office decides that there is any deficiency in the fees paid, the Assistant Commissioner is authorized to charge the fees due in connection with the filing of this document to **Deposit Account No. 03-1952**

referencing docket no. 524902000200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 24, 2002

Respectfully submitted,

By: 

Peng Chen  
Registration No. 43,543  
Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5117  
Facsimile: (858) 720-5125



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EL719395967US

Docket No.: 524902000200	Atty: Peng Chen/ra/ <i>PC</i>
Serial No.: To Be Assigned	Filing Date: Herewith <i>PC</i>
Title: OXIDIZED FUNGAL ANTIGENS AND METHODS OF MAKING AND USING THEREOF	
Date of Mailing: DECEMBER 21, 2001 via Express Mail No. EL719395967US	

Papers enclosed herewith:

1. Utility Patent Application Transmittal, 1 page
2. Fee Transmittal: 1 page (in duplicate)
3. Initial Information Data Sheet, 3 pages
4. Specification: 31 pages
5. Drawings: 4 pages
6. Return Postcard.

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE  
VIA EXPRESS MAIL NO.: . EL719395967US ON DECEMBER 21 2001.

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Product Description	Qty	Unit Price	Total Price
Sales Receipt			
Sale			

\$16.25

Docket No.: 524902000200	Atty: Peng Chen/ra/ <i>PC</i>
Serial No.: To Be Assigned	Filing Date: Herewith <i>PC</i>
Title: OXIDIZED FUNGAL ANTIGENS AND METHODS OF MAKING AND USING THEREOF	
Date of Mailing: DECEMBER 21, 2001 via Express Mail No. EL719395967US	

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JC927 U.S. PTO

10/028181



## FEE TRANSMITTAL

FOR FY 2002

MAY 06 2002

PATENT &amp; TRADEMARK

Patent fees are subject to annual revision.

## Complete if Known

Application Number 10/028,181

Filing Date December 21, 2001

First Named Inventor Harry PRINCE, et al.

Examiner Name To be assigned

Group Art Unit 1614

Attorney Docket No. 524902000200

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TOTAL AMOUNT OF PAYMENT

(\$130.00)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952, ref. 524902000200

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
*	- 20**		*	x	\$
	- 3**		*	x	\$
					\$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)\*

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$130)

## SUBMITTED BY

Name (Print/Type)

Peng Chen

Registration No.  
(Attorney/Agent)

43,543

Complete (if applicable)

Telephone

(858) 720-5117

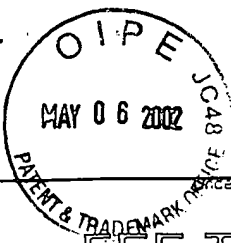
Signature

*Peng Chen*

Date

April 24, 2002

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Harry PRINCE et al
Examiner Name	To Be Assigned
Group Art Unit	To be assigned

TOTAL AMOUNT OF PAYMENT

(\$1,376.00)

Attorney Docket No. 524902000200

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952, ref. 524902000200

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

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- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
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107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$740)

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
46	-20 = 26	x 18 =	\$ 468
Independent Claims	5	3 = 2	x 84 = \$ 168
Multiple Dependent			\$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 636)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
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149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Peng Chen Registration No. 43,543 Telephone (858) 720-5117  
Signature [Signature] (Attorney/Agent)  
Date December 21, 2001

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/028,181	MAY 06 2002 12/21/2001	Harry Prince	524902000200

Peng Chen  
Morrison & Foerster LLP  
Suite 500  
3511 Valley Centre Drive  
San Diego, CA 92130-2332

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CONFIRMATION NO. 2823

## FORMALITIES LETTER



\*OC000000007558983\*

Date Mailed: 02/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$84.
  - \$84 for 2 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 214.**

05/07/2002 HNCN0001 10019111 11111 11111

01 FC1105 100.00 00

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

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